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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,561	06/27/2003	Hong Gi Ko	SI-0035	7284
34610 7590 09/28/2007 KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200			EXAMINER TIEU, BINH KIEN	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 09/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/607,561

Applicant(s)

KO ET AL.

Examiner

/BINH K. TIEU/

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/27/2003</u>                                                | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1- are rejected under 35 U.S.C. 102(b) as being anticipated by Salin (US. Pat. #: 5,625,671).

Regarding claims 1 and 16, Salin teaches a method of checking the identity of a subscriber equipment for use in GSM network. The GSM network comprises a subscriber Equipment Identity Register (EIR) and a mobile station exchange MSC as shown in figure 1. The EIR contains subscriber equipment lists provided with list identities. The subscriber equipment lists comprises lists 11 (Black list), 12 (Gray list), 13 (Yellow list) and 14 (White list) as shown in figure 2. Each list 11 through 14 contain subscriber equipment identities International Mobile Equipment Identity (IMEI) belonging to each list. The identities listed in the Black list are barred from establishing a connection with mobile network. The identities stored in the Gray list are monitored if they established with the mobile network, etc. The MSC connects to the EIR and may check the legality of subscribers' identities, IMEI, in the EIR by sending the IMEIs of the subscribers to the EIR. At this point, Salin teaches two different methods to apply the result:

A/. The result of the checking, i.e., the identity of the list (i.e., a Black list, Gray list, etc.) on which the respective subscriber exists, is sent or reported to an operator at an Operation

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and Maintenance Center (OMC) of the mobile network. After having received the report, the staff or operator of OMC judges whether the subscriber in question may continue using the mobile network or whether the mobile telephone shall be prevented and put on the blacklist (see col.1, line 62 through col.2, line 60); and

B/. The result is returned from the EIR to the MSC, which will take the necessary measures and automatically checking the condition of the subscriber equipment concerned based on the received result sent from the EIR, and automatically prevents this equipment from utilizing the services of the mobile network (see col.4, line 8 – col.5, line 9).

Regarding claim 2, note col.4, lines 40-56.

Regarding claim 3, note col.4, lines 28-34.

Regarding claim 4, note col.5, lines 10-58.

Regarding claims 5-15, also note the figure 2, col.4, line 28 through col.5, line 9.

Regarding claims 17-28, the limitations of the claims are parallel to claims 2-15 and rejected with the same reasons set forth in the rejections of claims 2-15 above.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ahvenainen (US. Pat. #: 6,091,946) also teaches a system and a method for identifying an illegal mobile terminal based on its identity of IMEI.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: [BINH.TIEU@USPTO.GOV](mailto:BINH.TIEU@USPTO.GOV).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:

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**/BINH K. TIEU/**  
Primary Examiner  
Technology Division 2614

Date: September 2007